

City of Mississauga Department Comments

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| Date Finalized: 2024-08-08 To: Committee of Adjustment From: Committee of Adjustment Coordinator | File(s): A345.24 Ward: 10 |
| | Meeting date:2024-08-15 3:30:00 PM |

Consolidated Recommendation

The City has no objections to the application, subject to the amendment.

Application Details

The applicant requests the Committee to approve a minor variance to allow a basement unit with a side yard window well encroachment of 1.00m (approx. 3.28ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.60m (approx. 1.97ft) in this instance.

Amendments

The Building Department is processing Building Permit SEC UNIT 24-1001. Based on review of the information available in this application, we advise that following amendment is required:

To allow a basement unit with a side yard window well encroachment of 0.98m (approx. 3.21ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.60m (approx. 1.97ft) in this instance.

Background

Property Address: 3335 Erin Centre Blvd

Mississauga Official Plan

Character Area: Churchill Meadows Neighbourhood
Designation: Residential Low Density I

Zoning By-law 0225-2007

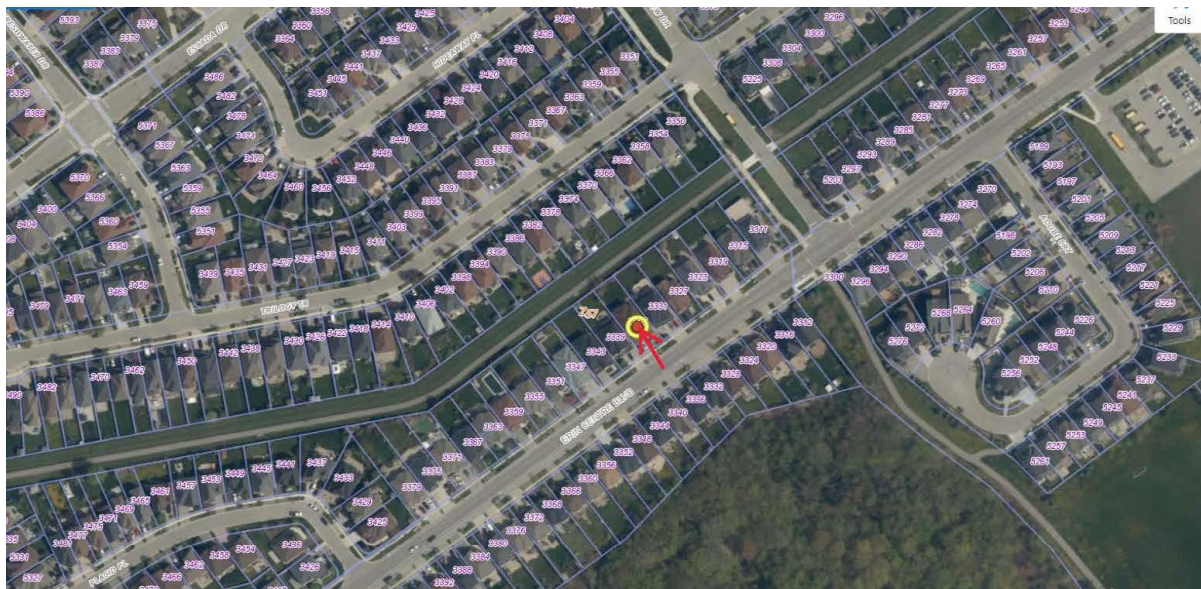
Zoning: R6-6 - Residential

Other Applications:

Site and Area Context

The subject property is located on the north side of Erin Centre Boulevard, east of Churchill Meadows Boulevard. It is an interior lot containing a two-storey detached dwelling with an attached garage. Limited landscaping and vegetative elements are present on the subject property. The surrounding context is predominantly residential, consisting of two-storey detached and semi-detached dwellings on similarly sized lots.

The applicant is proposing an additional residential unit in the basement requiring a variance for window well encroachment in the side yard.



Comments

Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application of the four tests to this minor variance request are as follows:

The subject property is located in the Churchill Meadows Neighbourhood Character Area and is designated Residential Low Density I in Schedule 10 of the Mississauga Official Plan (MOP).

The proposed variance relates to an increased window well encroachment located in the interior side yard. The intent of this portion of the by-law is to allow for limited encroachments for these types of elements and not impacting access or drainage to the rear yard. Planning staff note the below grade entrance being proposed in the rear yard will have shared access between the owner and future tenant(s). Since the below grade entrance will not exclusively be used as the principal entry/exit for the additional residential unit, the Ontario Building Code requires a 1m (3.28ft) window well for the escape window. Staff are satisfied that the window well is appropriately setback from the side lot line to allow for a potential drainage swale and unencumbered access to the rear yard is available on the opposite side of the dwelling.

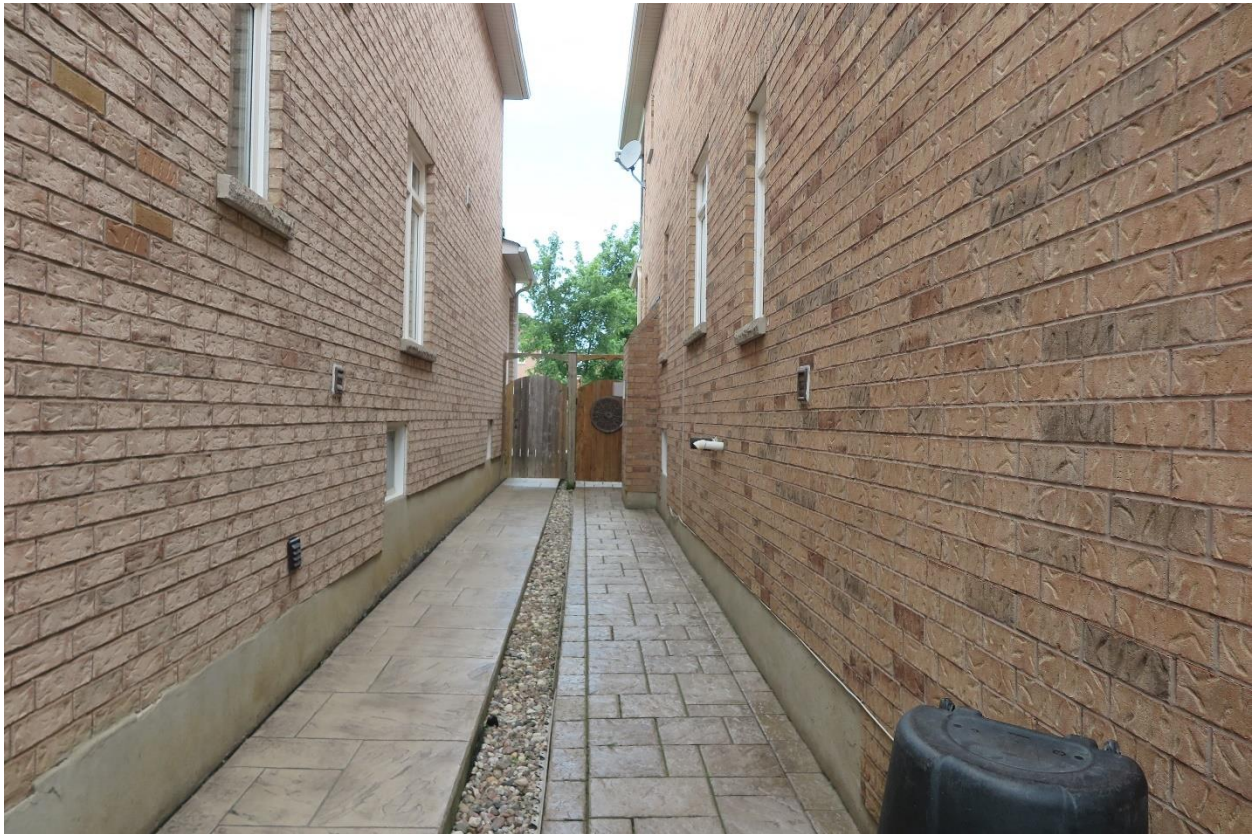
Planning Staff are of the opinion that the requested variance meets the general intent and purpose of the official plan and zoning by-law, is minor in nature and will not create undue impacts to the streetscape or abutting properties.

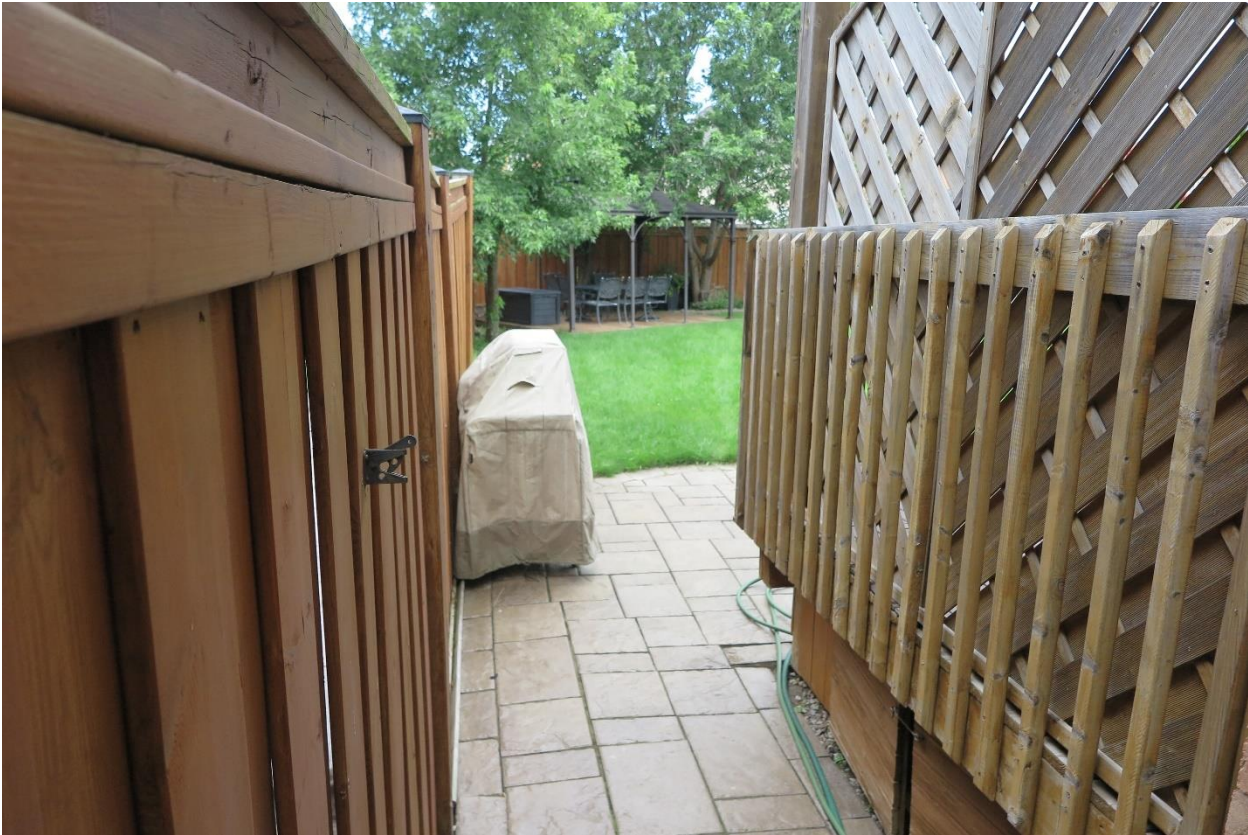
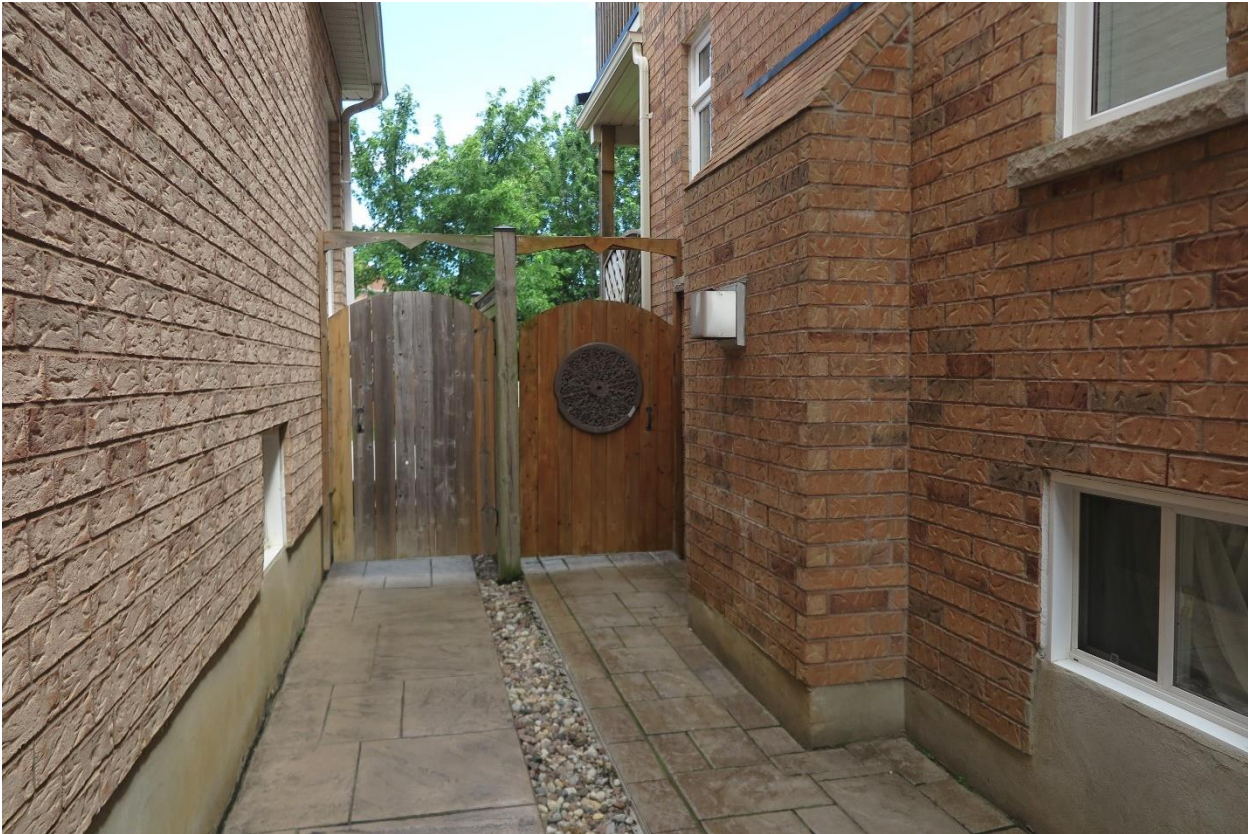
Comments Prepared by: Daniel Grdasic, Committee of Adjustment Planner

Appendices

Appendix 1 – Transportation and Works Comments

This department has no objections to the applicant's request to allow the side yard window well encroachment.





Comments Prepared by: Tony Iacobucci, Development Engineering

Appendix 2 – Zoning Comments

The Building Department is processing Building Permit SEC UNIT 24-1001. Based on review of the information available in this application, we advise that following amendment is required:

To allow a basement unit with a side yard window well encroachment of 0.98m (approx. 3.21ft) whereas By-law 0225-2007, as amended, permits a maximum window well encroachment of 0.60m (approx. 1.97ft) in this instance.

We also advise that more information is required in order to determine whether additional variance(s) will be required.

Please note that comments reflect those provided through the above application submitted on 05/03/2024. These comments may no longer be valid should there be changes contained within this Committee of Adjustment application that have not been submitted and reviewed through the application noted above. The applicant must submit any changes and/or updates to information and/or drawings separately through the above application in order to receive updated comments.

Comments Prepared by: Jeanine Benitez, Zoning Examiner

Appendix 3 – Parks, Forestry & Environment

Park Planning

The Parks and Culture Planning Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

The lands adjacent to the property are owned by the City of Mississauga, identified as Erin Centre Trail (P-470), zoned U – Utility.

Should the application be approved, Community Services provides the following notes:

1. Construction access from the adjacent park/greenlands is not permitted.
2. If access is required to City owned lands, a Consent to Enter Agreement/Park Access Permit will be required.
3. Stockpiling of construction materials and encroachment in the adjacent park/greenlands is not permitted.

Should further information be required, please contact Nicholas Rocchetti, Planner in Training - Park Assets, Community Services Department at 905-615-3200 ext. 4659 or via email Nicholas.Rocchetti@mississauga.ca.

Comments Prepared by: Nicholas Rocchetti, Planner in Training

Forestry

The Forestry Section of the Community Services Department has no objections to the above noted minor variance application and advises as follows:

1. No public trees shall be injured or removed. If public tree injury or removal is required, a permit must be issued as per By-law 0020-2022.
2. No private trees shall be injured or removed. If a private tree with a diameter of 15 centimetres or greater on private property is to be injured or destroyed, a permit must be issued as per By-law 0021-2022.
3. Please note if a tree is identified as a shared tree with the adjacent property owner, and the applicant intends to apply for a Tree Removal Permit, written consent must be obtained by both parties.

A Tree Removal Application to Permit the Injury or Destruction of Trees on Public and Private Property can be found at <https://www.mississauga.ca/publication/application-to-permit-the-injury-or-destruction-of-trees-on-public-and-private-property/>.

Should further information be required, please contact Jamie Meston, Landscape Architect Assistant, Forestry Section, Community Services Department at 905-615-3200 ext. 4264 or via email jamie.meston@mississauga.ca.

Comments Prepared by: Jamie Meston, Landscape Architect Assistant

Appendix 4 – Region of Peel

Minor Variance Application: A-24-345M / 3335 Erin Centre Blvd.

Development Engineering: Brian Melnyk (905) 791-7800 x3602

Comments:

- Please be advised that service connection sizes shall be in compliance with Ontario Building Code and Region of Peel Design Criteria. An upgrade of your existing service may be required. All works associated with the servicing of this site will be at the applicant's expense. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.
- All unutilized water and sanitary services shall be abandoned in accordance with Region of Peel design specifications. For more information, please

contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

- Any changes to the underground water or sanitary sewer will require review by the Region of Peel. Site Servicing approvals are required prior to the local municipality issuing building permit. For more information, please contact Servicing Connections at 905.791.7800 x7973 or by email at siteplanservicing@peelregion.ca.

Comments Prepared by: Petrele Francois, Junior Planner